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Attorneys for Defendants

STEWART TITLE COMPANY

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

NARINDER S. SAMRA,

HARMINDER K. SAMRA,

Plaintiffs,

VS.

KARNAIL S. JOHAL,

NILAKUMARI JOHAL.

GRIGORY YELKIN,

TATYANA YELKIN.

STEWART TITLE COMPANY,

and DOES 1 through 20,

Defendants.

CASE NO.

2:08-CV-02587-LKK-GGH

2:08-CV-02589-LKK-GGH

DEFENDANT STEWART

TITLE COMPANY'S EX PARTE

APPLICATION FOR ENLARGEMENT

OF TIME AND ORDER THEREON AND

DECLARATION OF ROBERT D. COLLINS

1 Defendant Stewart Title Company, a Texas corporation, ("Stewart Title") hereby requests
2 an enlargement of time within which to file a responsive pleading. The Summons and Complaint
3 were personally served on Stewart Title of California, a California corporation, on December 10,
4 2008, which would have made a responsive pleading due by December 30, 2008. Robert D.
5 Collins informed Plaintiffs' counsel that the wrong entity had been served and that he was
6 authorized to accept service on behalf of Stewart title Company, a Texas corporation. Mr.
7 Collins and Plaintiffs' counsel agreed that a responsive pleading by Stewart Title Company
8 would be due on or before January 15, 2009. (See Declaration of Robert D. Collins and Exhibit
9 "A" attached thereto).

10 Accordingly, Defendant Stewart Title respectfully requests an enlargement of time to file
11 a responsive pleading to and including January 15, 2009.


12 Dated: December 30, 2008 CVM LAW GROUP, LLP

13
14 By: /s/ Robert D. Collins
15 ROBERT D. COLLINS,
16 Attorneys for Defendant
17 STEWART TITLE COMPANY
18 8795 Folsom Blvd., Suite 200
19 Sacramento, California 95826
20 Email: bcollins@cvmllaw.com
21 Telephone: (916) 381-6171

22 ORDER

23 IT IS SO ORDERED.

24 Dated: January 6, 2009

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26 LAWRENCE K. KARLTON
27 SENIOR JUDGE
28 UNITED STATES DISTRICT COURT

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I, Robert D. Collins, declare:

1. I am an attorney at law licensed to practice before all courts in the State of California, including this District Court. I am a partner at the CVM Law Group, LLP, which is the attorney of record for Stewart Title Company, a Defendant in this matter. I am making this Declaration based upon my own knowledge and if called as a witness I will testify as to these facts.

2. I spoke to Anthony M. Perez, Jr., Plaintiffs' counsel in this matter, concerning an extension of time to respond to Plaintiffs' Complaint. I explained to Mr. Perez that he had served Stewart Title of California which is a California entity instead of Stewart Title Company, a Texas corporation doing business in the State of Washington. I also advised Mr. Perez that I was authorized to waive or accept service on behalf of Stewart Title Company and we discussed an appropriate time to respond. Because of the holidays and a snow storm in Seattle, I was having trouble getting the files in this matter and needs sufficient time to review them and prepare a response. Mr. Perez graciously agreed to give Stewart Title until January 15, 2009 to respond to the Complaint.

3. A true and correct copy of my letter dated December 26, 2008, commemorating this conversation is attached hereto as Exhibit “A”.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This Declaration was executed this 30th day of December, 2008, at Sacramento, California.

ROBERT D. COLLINS

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EXHIBIT “A”